

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STEVEN J. CONTOS and REBECCA W. CONTOS, a marital community, on behalf of themselves and all others similarly situated,

No. C08-838Z

## Plaintiffs,

## MINUTE ORDER

WELLS FARGO ESCROW COMPANY,  
LLC, an Iowa limited liability company,

## Defendants.

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The Court declines to sign the stipulation and proposed order amending case schedule, docket no. 40, submitted by the parties. The Court STRIKES all deadlines relating to plaintiffs' anticipated motion for class certification, as set forth in the Stipulation and Order dated October 20, 2008, docket no. 18. If a briefing schedule for such motion is appropriate, the Court will establish one after it rules on the pending motions for leave to amend the complaint and for summary judgment.

(2) All dates and deadlines, and all terms and conditions, set forth in the Minute Order dated September 17, 2008, docket no. 13, remain in full force and effect.

(3) Defendant's motion for summary judgment, docket no. 25, and plaintiffs' motion for leave to amend the complaint, docket no. 39, are RENOTED to April 3, 2009.

(4) In its response to the motion for leave to amend the complaint, defendant shall address what, if any, effect the additional or substitute allegations of the proposed amended complaint have on defendant's motion for summary judgment. For this purpose, defendant is granted leave to file an overlength response to plaintiffs' motion for leave to amend the complaint. Such response shall not exceed twenty-four (24) pages in length. Plaintiffs are granted leave to file an overlength reply in support of their motion; such reply also shall not exceed twenty-four (24) pages in length.

(5) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Filed and entered this 17th day of March, 2009.

BRUCE RIFKIN, Clerk

s/ Claudia Hawney  
By \_\_\_\_\_  
Claudia Hawney  
Deputy Clerk